



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

May 26, 2009

The Honorable Michael Mauro
Secretary of State
State Capitol Building
LOCAL

Dear Mr. Secretary:

I hereby transmit House File 811, an Act relating to and making appropriations for health and human services and including other related provisions and appropriations, providing penalties, making penalties applicable and providing effective, retroactive, and applicability date provisions. House File 811 is approved on this date, with the exceptions noted below, which I hereby disapprove.

I am unable to approve the item designated as Section 28, subsection 3 in its entirety. This language requires the Department of Human Services to provide detailed proposals for any reorganization to the Legislature. It requires a 30-day advance notice. This provision infringes on the Executive Branch's duties to administer operations and programs. As I have previously stated, making government more efficient is a priority of my Administration, but we should not do it in a piece-meal fashion as this language would require. We need a more comprehensive reorganization.

I am unable to approve the item designated as Section 35 in its entirety. This language directs the Departments of Elder Affairs, Public Health, Human Services and Veterans Affairs to develop plans for a five-percent reduction in their respective budgets and a report of such reductions to the Legislature by December 15, 2009. A budget process is already delineated in law that starts with the Executive Branch, and this language infringes on the Executive Branch's duties to develop the state budget.


I am unable to approve the item designated as Section 37 in its entirety. Section 37 directs employees to submit actual receipts for meals and other costs and requires reimbursement up to the maximum amount shall only be allowed in an amount equal to the sum of the actual receipts submitted. While I agree with the general intent of this section and believe that employees should be reimbursed only for actual expenses, this language would be particularly difficult to administer because similar language has not been consistently required by the Legislature for every state agency or department or for the Legislature's own employees. Accordingly, I have issued Executive Order Thirteen to require the Department of Administrative Services (DAS) to implement a

policy that will require every executive department of the Culver-Judge Administration to institute cost-effective and transparent practices that will track reimbursements paid to state employees for meals, travel and other work-related costs.

I am unable to approve the item designated as Section 38 in its entirety. This language directs that all out-of-state travel for performance of official state business by state employees of the Departments of Elder Affairs, Public Health, Human Services and Veterans Affairs or agencies subject to this Act must be approved by the Executive Council. While only certain out-of-state travel must, by law, be approved by the Executive Council, this language would extend this requirement to all out-of-state travel for the performance of official state business by these agencies, including the University of Iowa Hospitals and Clinics (UIHC). Extending this requirement for all out-of-state travel for performance of official state business by UIHC is not in the best interests of providing emergency medical care and taking care of patients. This language would set a different standard for these agencies. When economic conditions required such action last December, I restricted out-of-state travel by Executive Branch employees.

For the above reasons, I respectfully disapprove of the designated items in accordance with Article III, Section 16 of the Constitution of the State of Iowa. All other items in House File 811 are hereby approved this date.

Sincerely,



Chester J. Culver
Governor

cc: Secretary of the Senate
Chief Clerk of the House

CJC:rco